

City Council Introduction: **Monday**, April 16, 2001  
Public Hearing: **Monday**, April 23, 2001, at **1:30 p.m.**

Bill No. 01-67

## **FACTSHEET**

**TITLE:** **CHANGE OF ZONE NO. 3316**, from O-3 Office Park District to "P" Public Use District, requested by the Lancaster County Board of Commissioners, on property located at 601 North 46<sup>th</sup> Street, just north of R Street.

**STAFF RECOMMENDATION:** Approval.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 04/04/01  
Administrative Action: 04/04/01

**RECOMMENDATION:** **Approval** (6-0: Carlson, Krieser, Hunter, Steward, Newman and Schwinn voting 'yes'; Taylor, Bayer and Duvall absent).

### **FINDINGS OF FACT:**

1. The Planning staff recommendation to **approve** this change of zone request is based upon the following analysis:
  - A. Page 43 of the 1994 Comprehensive Plan states that Public and Semi-Public land use "...encompasses areas of public or semi-public land use and/or structures that serve the general public. Only the largest and most significant facilities are shown on the land use plan. Dependent on their compatibility with the surrounding area, small scale public and semi-public land uses may be allowed within all land use categories."
  - B. The proposed government office use is compatible with the government office to the north and the credit union to the south. All are permitted uses in the O-3 zoning district. This proposed change with its small-scale public use is consistent with the Comprehensive Plan.
  - C. If approved, this change of zone would reduce the O-3 Office Park area covered by Use Permit #73 to 3.7 acres; the district requires a minimum of 2 acres.
  - D. 27.54.020 L.M.C. states that a "building or premises owned by any governmental entity, including local, county, state, federal governmental units and their subdivisions, and in some form of public use, shall be permitted to be located in the P Public Use District."
  - E. According to the Assessor's records, Lancaster County owns this parcel. The applicant's letter states that they intend to use the site for the new Election Commission offices. The request meets the requirements of the P Public Use District.
2. The applicant's testimony is found on p.5.
3. There was no testimony in opposition.
4. On April 4, 2001, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** April 9, 2001

**REVIEWED BY:** \_\_\_\_\_

**DATE:** April 9, 2001

**REFERENCE NUMBER:** FS\CC\FSCZ3315

W44

**DATE:** March 21, 2001

### GENERAL INFORMATION:

<b>April 3, 1989</b>	City Council approved the Wyuka Preliminary PUD on the property; the proposal included office buildings, apartments, and elderly housing.
<b>December 17, 1990</b>	City Council approved Special Permit #1382, the Wyuka CUP on the property; the CUP approved 528 dwelling units, including several apartment buildings on the property. Council also approved Change of Zone #2593 from R-4 Residential to O-3 Office Park and Use Permit #52, which approved office buildings south of R Street.
<b>August 26, 1991</b>	City Council approved Special Permit #1382-A, which amended the Wyuka CUP by transferring dwelling units from this property to other portions of the CUP.
<b>November 28, 1994</b>	City Council approved Special Permit #1382-B, Use Permit #73, and Change of Zone #2858 on the property. These actions removed 7 acres from the CUP, changed the zoning from R-4 Residential to O-3 Office Park, and approved 60,000 square feet of office and credit union space.
<b>January 16, 1996</b>	City Council approved Change of Zone #2949 from O-3 Office Park to P Public Use on the lot to the north.

#### **SPECIFIC INFORMATION:**

**UTILITIES:** Available

**TOPOGRAPHY:** Generally flat on the developed area with a drainage way on the western portion of the site

**TRAFFIC ANALYSIS:** N. 46<sup>th</sup> Street is shown as an Urban Collector in both the Existing and Future Functional Street and Road Classifications.

**PUBLIC SERVICE:** The closest fire stations are #2 at N. 33<sup>rd</sup> and Holdrege and #9 at Cotner and Vine.

**ALTERNATIVE USES:** Non-government office building

#### **ANALYSIS:**

1. Page 43 of the 1994 Comprehensive Plan states that Public and Semi-Public land use "...encompasses areas of public or semi-public land use and/or structures that serve the general public. Only the largest and most significant facilities are shown on the land use plan. Dependent on their compatibility with the surrounding area, small scale public and semi-public land uses may be allowed within all land use categories."

3. The proposed government office use is compatible with the government office to the north and the credit union to the south: all are permitted uses in the O-3 zoning district. This proposed change with its small-scale public use is consistent with the Comprehensive Plan.
4. If approved, this change of zone would reduce the O-3 Office Park area covered by Use Permit #73 to 3.7 acres; the district requires a minimum of 2 acres.
5. 27.54.020 L.M.C. states that a “building or premises owned by any governmental entity, including local, county, state, federal governmental units and their subdivisions, and in some form of public use, shall be permitted to be located in the P Public Use District.”
6. According to the Assessor’s records, Lancaster County owns this parcel. The applicant’s letter states that they intend to use the site for the new Election Commission offices. The request meets the requirements of the P Public Use District.

**STAFF RECOMMENDATION:**

Approval

Prepared by:

Jason Reynolds  
Planner

## CHANGE OF ZONE NO. 3316

### **PUBLIC HEARING BEFORE PLANNING COMMISSION:**

April 4, 2001

Members present: Carlson, Krieser, Hunter, Steward, Taylor, Newman and Schwinn; Bayer and Duvall absent.

Planning staff recommendation: Approval.

#### Proponents

1. **Kerry Eagan, Chief Administrative Officer for the Lancaster County Board of Commissioners** presented the application. The County purchased the building at No. 46<sup>th</sup> & R which will be used for the Election Commission. The existing zoning is O-3 with use permit. The building will be modified and the Board chose to seek "P" zoning since the property to the north is also owned by the County and zoned "P". It made more sense to change the zoning rather than amend the use permit. There will be no setback violations.

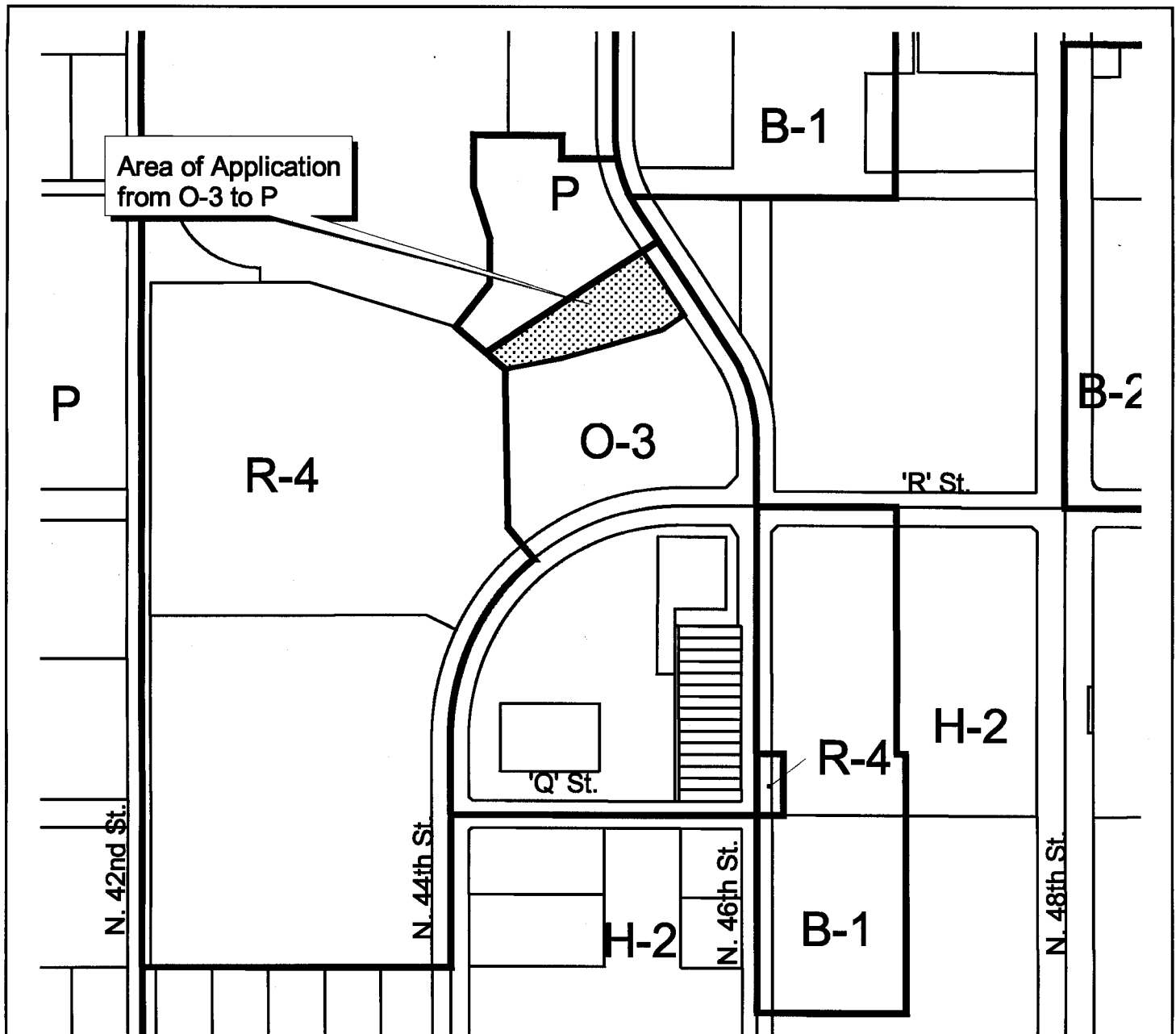
There was no testimony in opposition.

Public hearing was closed.

### **ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

April 4, 2001

Hunter moved approval, seconded by Newman and carried 7-0: Carlson, Krieser, Hunter, Steward, Taylor, Newman and Schwinn voting 'yes'; Bayer and Duvall absent.



## Change of Zone #3316 N. 46th & 'R' St.

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

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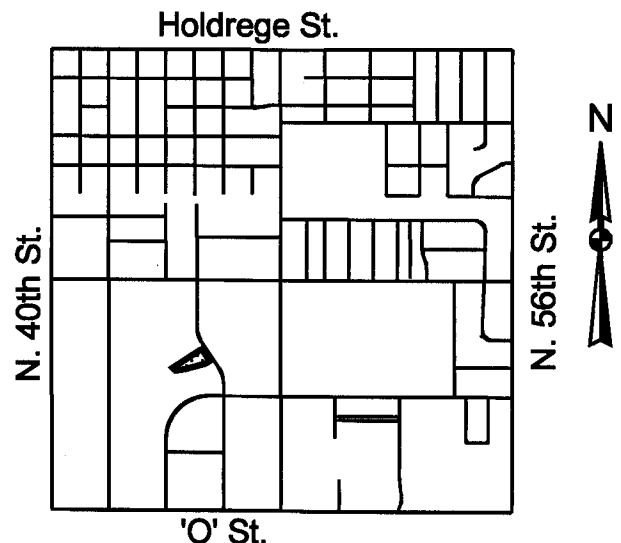
One Square Mile  
Sec. 20 T10NR7E



Zoning Jurisdiction Lines



City Limit Jurisdiction



Sheet 1 of 2 006  
Date: 3-26-01  
Lincoln City - Lancaster County Planning Dept.



**Change of Zone #3316  
N. 46th & 'R' St.**



Sheet 2 of 2

Date: 3-21-01

Photograph Date: 1997 007

# LANCASTER COUNTY BOARD OF COMMISSIONERS

## COUNTY-CITY BUILDING

555 South 10th Street, Room 110  
Lincoln, Nebraska 68508  
Phone: (402) 441-7447  
Fax: (402) 441-6301  
E-mail: Commish@ci.lincoln.ne.us

March 5, 2001

## COMMISSIONERS

Kathy Campbell  
Bernie Heier  
Larry Hudkins  
Linda Steinman  
Bob Workman  
Chief Administrative Officer  
Kerry P. Eagan

Kathleen Sellman, Director  
Lincoln-Lancaster County Planning Department  
County-City Building  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: Request for Change of Zone on County Property Located at 601 N. 46<sup>th</sup> Street

Dear Kathleen:

Lancaster County recently purchased property at the address of 601 N. 46<sup>th</sup> Street which will become the new site for the Election Commission. In order to accommodate the Election Commission offices, it will be necessary to expand the existing building. However, we cannot do this until we either amend Use Permit No. 73 for the building, or in the alternative, request a change of zone for the property to public (P) zoning.

The Board has been advised the most expeditious course of action to enable us to expand the building would be to change the zoning to P. Accordingly, please accept this letter as a request from the Lancaster County Board of Commissioners to initiate the process for a change of zone on the County's property at 601 N. 46<sup>th</sup> Street to "P" zoning. As background information, I am including with this letter correspondence from Chris Beardslee at Sinclair Hille and a site plan for the property.

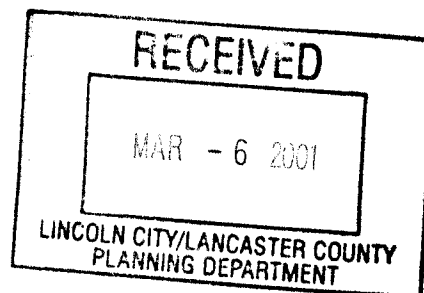
Please don't hesitate to contact me if you have any questions regarding this request. As always, your assistance is greatly appreciated.

Sincerely,

  
Kerry P. Eagan  
Chief Administrative Officer

Enclosures

cc: County Board  
Dave Shively, Election Commissioner  
Don Killeen, County Property Manager  
Chris Beardslee, Sinclair Hille





RECEIVED

FEB 22 2001

LANCASTER COUNTY  
BOARD

February 21, 2001

Mr. Kerry Eagan, Chief Administrator  
Lancaster County Commissioners  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: Election Commission Offices  
Need for Change of Zone

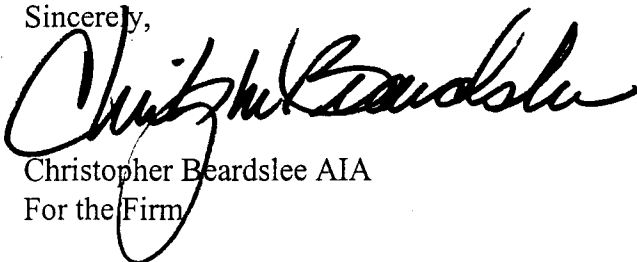
Kerry:

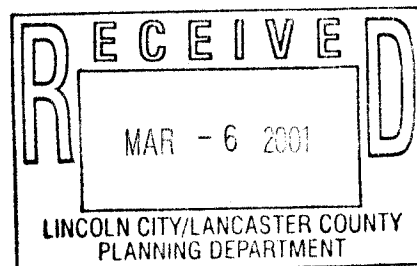
I am enclosing with this letter an original site plan of the proposed election commission offices located at 601 North 46<sup>th</sup> Street. That building was originally constructed under a "Use Permit" which designated a building envelope of which the addition involved with this project exceeds.

The appropriate action required to allow the expansion of this building would be to either submit an amendment to the Use Permit, (Use Permit #73), or to request and obtain a change of Zone. In discussion with the Planning Department the most logical course of action would be to request a change of zone, ("P Zoning") to have it removed from the use permit.

It is my understanding a change of zone as described above will be necessary to obtain a building permit for the project. Presently, the project is out for bids and has not yet been submitted to the Building and Safety Department for review. If it is your intent to submit for a change of zone, I believe we could submit the drawings for review pending the change of zone.

Sincerely,

  
Christopher Beardslee AIA  
For the Firm



pc: Dave Shively, Election Commissioner  
Don Killeen, Public Building Commission

alh  
00081-06-KE-ChngofZone

Principals

John E. Sinclair  
Jim C. Hille  
JoAnne Kissel

Associate Principal

Daniel J. Grasso

Senior Associates

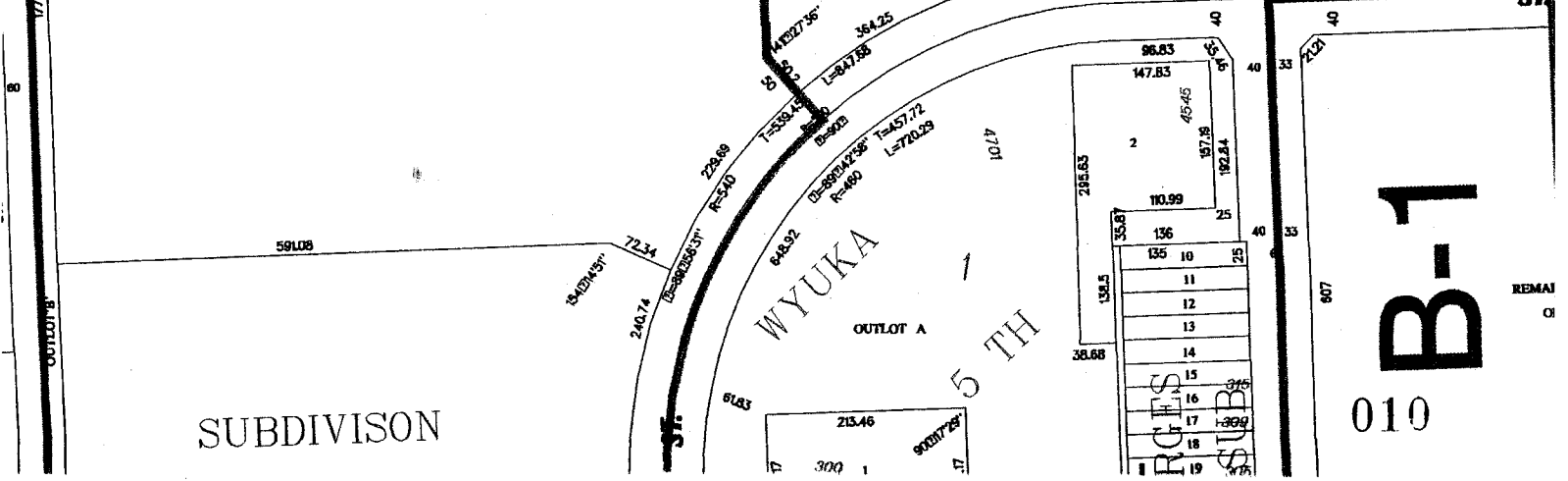
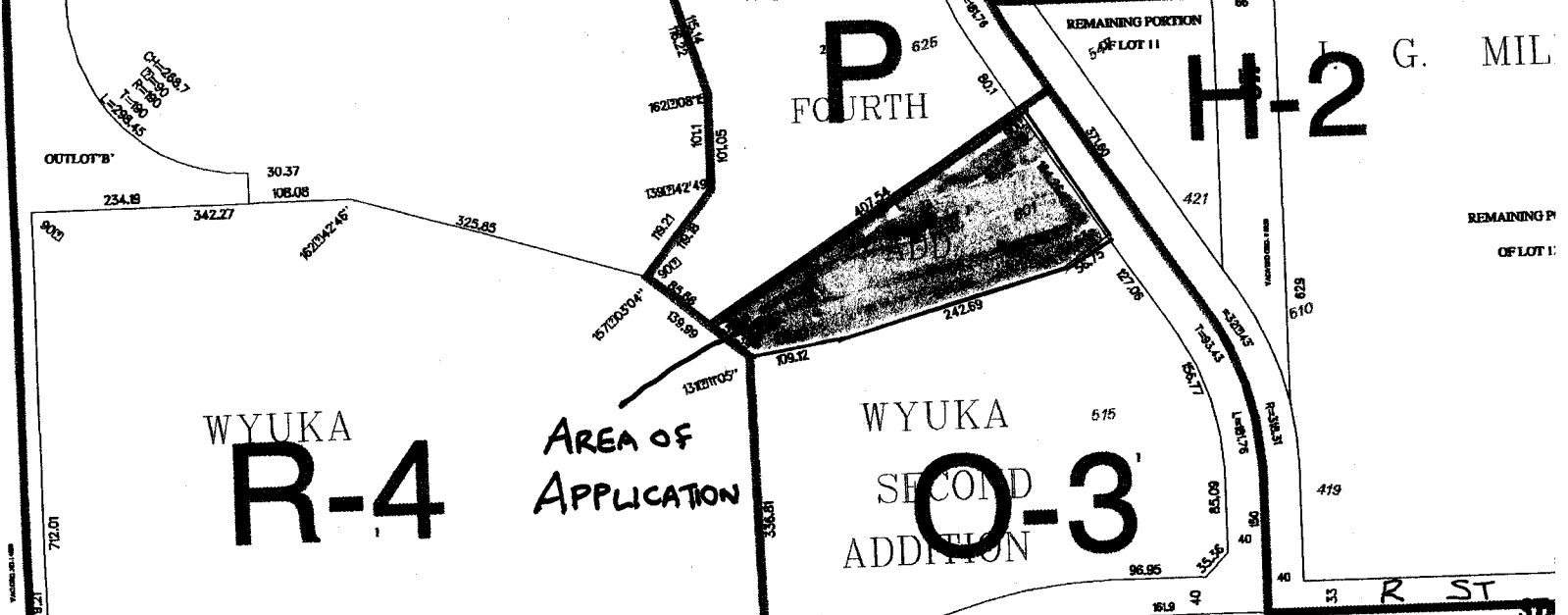
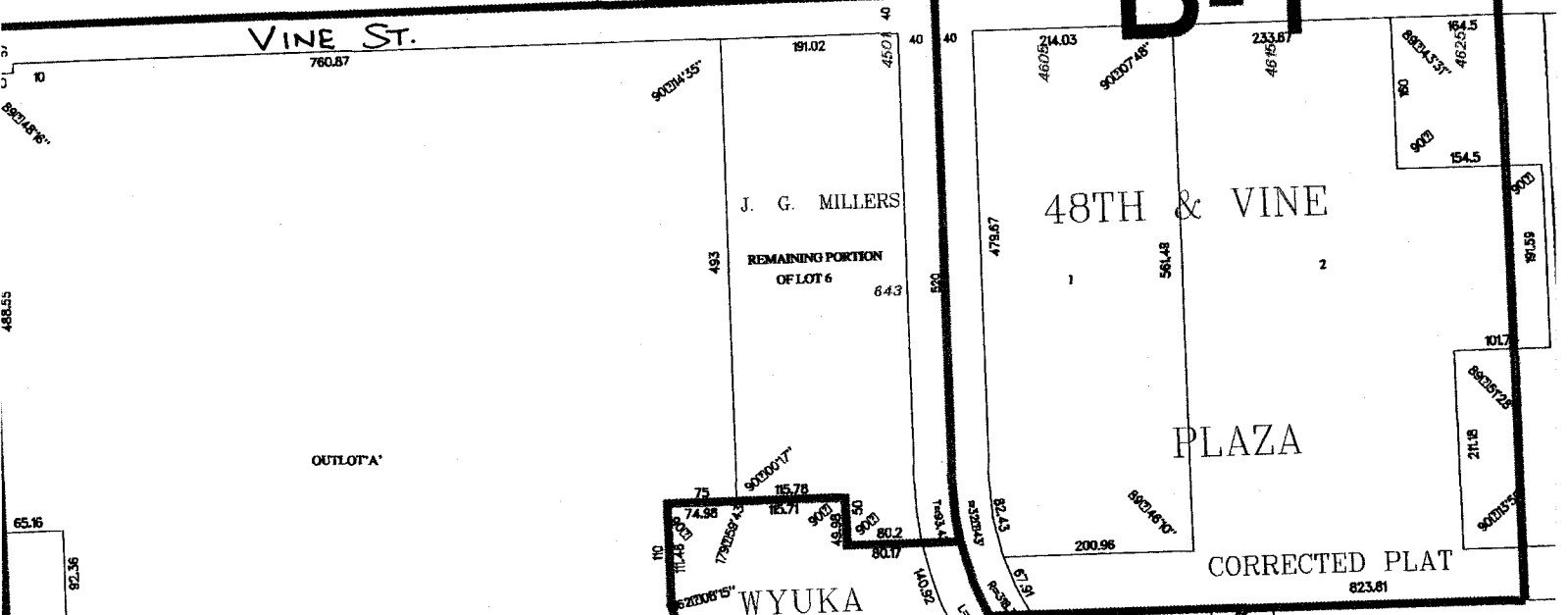
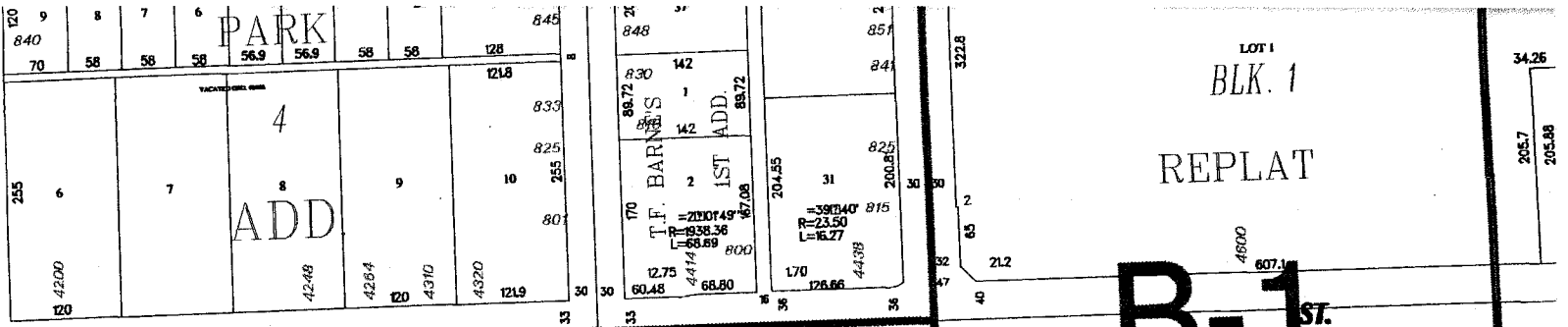
Christopher Beardslee  
Gordon Hardle  
Richard B. Toren

Associates

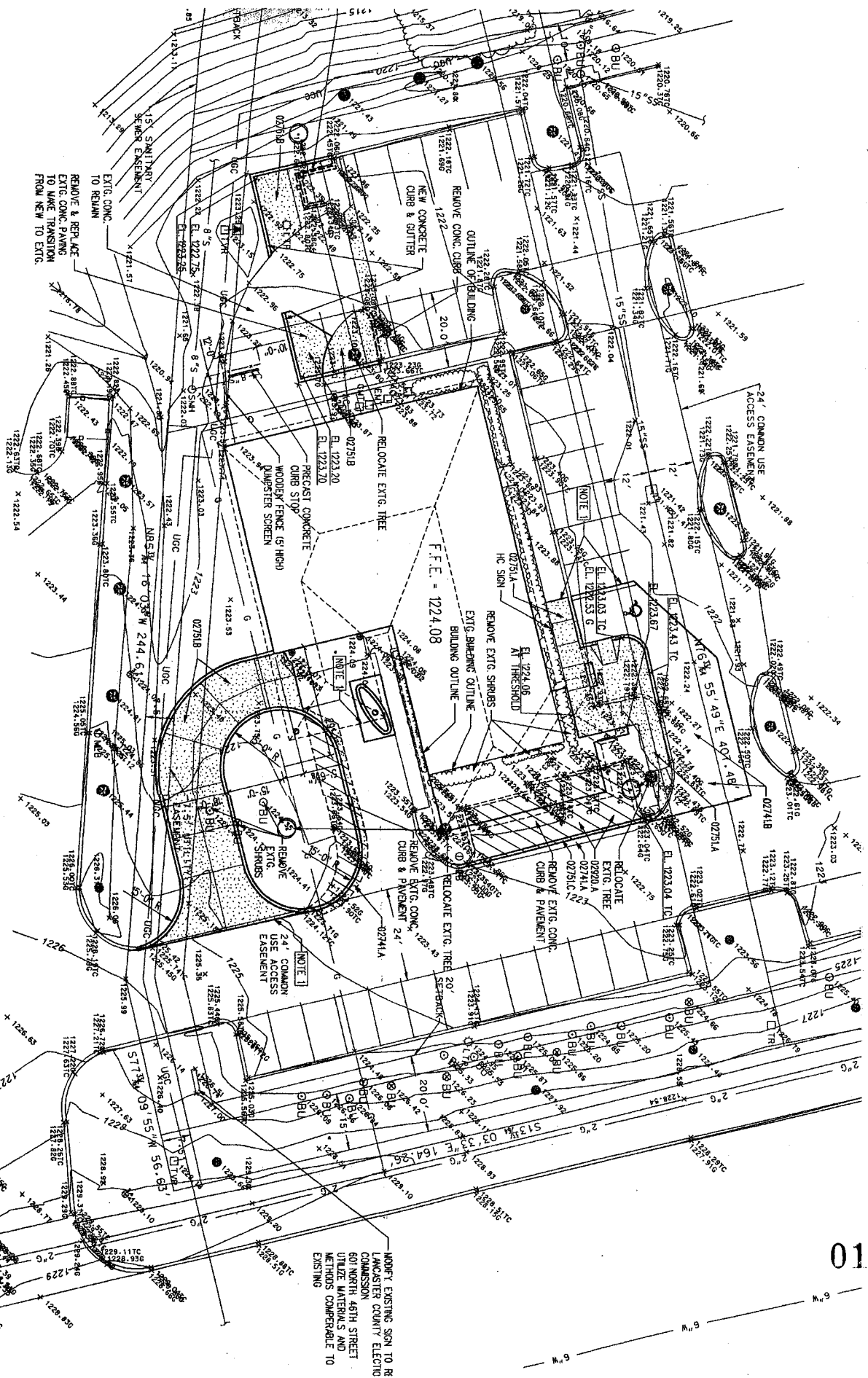
Kevin A. Clark  
John F. Kay  
Elizabeth A. Kuhlman

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contact@sinclairhille.com  
www.sinclairhille.com



NO SCALE



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